

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Urban Land (Ceiling & Regulation) Act, 1976 – Visakhapatnam Urban Agglomeration – Allotment of excess land to an extent of 2,752 sq.mtrs and 2,870 sq.mtrs., in Waltair ward under section 23(4) of the Act under occupation of 3rd parties i.e., Sri P. Venkatapathi Raju, S/o. P. Ramabhadra Raju and Sri K. Naga Kanaka Brahman, S/o. Satya Rao respectively vide G.O.Ms.No.256, dt.27.02.2006 and G.O.Ms.No.424, dt.06.04.2006 – Allegation of submission of fake documents by the applicants – certain allegations – Assurance given by the Hon'ble Minister for Revenue to the Legislative Council to enquire in to the issue by a senior IAS Officer – Appointment of the Special Chief Secretary and Chief Commissioner of Land Administration, AP, Hyderabad as Enquiry Officer – Orders Issued.

REVENUE (UC.I) DEPARTMENT

G.O.Ms.No. 557.

Dated:05. September, 2012.

Read the following:

- 1) G.O.Ms.No.256, Revenue (UC.I) Department dated 27.02.2006.
- 2) G.O.Ms.No.424, Revenue(UC.I) Department, dated 6.4.2006
- 3) G.O.Ms.No.493, Revenue(UC.I) Department, dated 26.3.2008
- 4) Govt. Memo.No.4027 /UC.I/2011, dated 20.9.2011.

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ORDER:

The Special Officer & Competent Authority, Urban Land Ceiling, Visakhapatnam has submitted proposals for allotment of surplus land to an extent 2752 sq.mtrs., and 2870 sq.mtrs., in T.S.No.1011/1A1A3B & T.S.No.1011/1A1A3C Part of Waltair ward, Visakhapatnam in favour of Sri P. Venkatapathi Raju and Sri K. Naga Kanaka Brahman respectively under section 23(4) of UL(C&R) Act,1976 stating that dwelling houses with D.No.7-5-1/55/1 and 7-5-1/55/2 are existing in the land and recommended the proposals for regularization. Accordingly, Government have issued orders vide G.O.Ms.No.256, Revenue (UC. I) Department, dt.27.02.2006 and G.O.Ms.No.424, Revenue (UC.I) Department, dt.06.04.2006 allotting the above said land in favour of the two applicants.

2. Meanwhile, the Collector, Visakhapatnam in his report dt.19.12.2006, has stated that the allottees Sri P. Venkatapathi Raju and Sri K. Naga Kanaka Brahman have obtained the allotment orders by producing fake documents and requested to rescind the orders issued in G.O.Ms.No.424, Revenue (UC.I) Department, dt.06.04.2006 in favour of Sri K. Naga Kanaka Brahman and accordingly, the orders issued in G.O.Ms.No.424, Revenue (UC. I) Department, dt.06.04.2006 were kept in abeyance vide Govt.Memo.No.59377/UC. I/2006-1, dt.23.03.2007.

3. Sri P. Venkatapathi Raju and Sri K. Naga Kanaka Brahman have filed representations before the then Hon'ble Minister (Rev.), and among other things, have stated that they are willing to pay highest slab rate. The request of the applicants was considered by the Government and decided to apply the highest slab rate in the year 2002 i.e., Rs.1,750/- per sq.mtrs., and accordingly, modification orders were issued fixing the highest slab rate vide G.O.Ms.No.493, Revenue (UC. I) Department, dt.26.03.2008 and the abeyance orders issued vide Govt.Memo.No.59377/UC. I/2006-1, dt.23.03.2007, were withdrawn.

4. When the matter stood thus, the Director General, Anti Corruption Bureau, Hyderabad has conducted discreet enquiry and recommended for initiating departmental action against two private persons, Sri.K.Naga Kanaka Brahman and Sri.P.Venkatapathi Raju who have submitted fake and fabricated house tax book and tax receipts to Sri P.Yerraiah formerly Special Officer & Competent Authority, Urban Land Ceiling, Visakhapatnam to grab valuable Government land and therefore to prosecute the above two private persons in a court law u/s 420 IPC and 435,465 and 471 IPC after

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due verification besides taking action against Sri.P.Yerraiah, the then Special Officer & Competent Authority, Urban Land Ceiling, Visakhapatnam.

5. The Government vide Memo.No.58904/Vig. III(1)/2010-1, dt.29.01.2011, directed the Collector, Visakhapatnam to initiate necessary measures for prosecuting the two persons viz., Sri K. Naga Kanaka Brahman and Sri P. Venkatapathi Raju in a Court of Law u/s 420 IPC for submitting fake and fabricated house tax book and tax receipts. Accordingly, the Station House Officer, III Town Police Station, Visakhapatnam registered a case in Cr.No.128/2011, dt.06.03.2011 u/s 420 IPC, 465 IPC, 468 IPC and 471 IPC. The accused Sri K. Naga Kanaka Brahman and Sri P. Venkatapathi Raju filed CRLP. MP.No.3550/2011 in CRLP.No.3353/2011 before the Hon'ble High Court against the criminal case No.128/11 registered against them and obtained interim stay orders dt.18.04.2011 against prosecution.

6. The Special Officer & Competent Authority, Urban Land Ceiling, Visakhapatnam in his letters dt.25.3.2011, dt.7.11.2011 and the District Collector, Visakhapatnam vide Letter dt.23.3.2011, requested the Government to pass necessary orders keeping in view of the orders of the Hon'ble High Court in W.P.No.5769/2011 dt.8.3.2011 filed by M/s Clover Associates Private Limited.

7. Accordingly, the orders issued in G.O.Ms.No.256, Revenue (UC.I) Department, dt.27.02.2006, G.O. Ms. No.424 Revenue (UC.I) Department, dt.06.04.2006 and G.O.Ms.No.493, Revenue (UC. I) Department, dt.26.03.2008, were kept in abeyance vide Govt. Memo. No. 4027/UC.I/2011, dated. 20.09.2011.

8. Sri P. Venkatapathi Raju and two others have filed W.P. No.23838/2011 against the above said abeyance orders and the Hon'ble High Court in its interim Orders in W.P.M.P.No.33262/2011 in W.P.No.23828/2011 dated.11/10/2011 suspended the above orders issued vide Govt. Memo. No.4027/UC.I/2011, dated. 20.09.2011.

9. While the matter stood thus, Sri Balasani Lakshmi Narayana, Sri Nimmakayala China Rajappa and Sri Dadi Veerabhadra Rao, MLCs have given notice in LCQ No.5850 (Starred) regarding the illegal regularization of the above land and the action taken and to be taken thereon. During the discussion in the Council on 2.12.2011 during the question hour, the Hon'ble Minister for Revenue, Relief, Rehabilitation and Urban Land Ceiling has assured the House that a detailed enquiry will be held into the whole matter by appointing a senior IAS Officer.

10. In view of the position, Government have decided to appoint the Special Chief Secretary & Chief Commissioner of Land Administration, AP, Hyderabad as Enquiry Officer to enquire into the whole matter. Accordingly, Government hereby appoint the Special Chief Secretary & Chief Commissioner of Land Administration, AP, Hyderabad to enquire in to the whole matter, including the following issues:

- a) to enquire into the allotment / regularization of ceiling surplus land in favour of the applicants Sri P. Venkata Pathi Raju N.K. Brahman and members of Sri Rama Co-Operative Housing Society based on the fake and fabricated documents submitted by them.
- b) to enquire into issuance of G.Os for regularization.
- c) to enquire into the role played by the Clover Associates Limited in obtaining withdrawal of abeyance orders issued in Mem.No.59377/ UC.I/ 06-1, dated 23.3.2007 by collecting highest slab rate, vide G.O.Ms.No.493, Revenue (UC.I) Department dated 26.3.2008.

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11. The Enquiry Officer should complete the enquiry and submit the enquiry report within a month for taking further necessary action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of
Land Administration, AP, Hyderabad.

Copy to:

The Special Officer & Competent Authority,
Urban Land Ceiling Hyderabad
The Collector & District Magistrate, Visakhapatnam
PS to Principal Secretary, Revenue Department
PS to Hon'ble Minister for Revenue.
SC/SF

//FORWARDED :: BY ORDER//

SECTION OFFICER